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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
ZHONG, CHAD	
ART UNIT	**PAPER NUMBER**
2152	

DATE MAILED: 01/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/783,660	MANSOUR ET AL.	
	Examiner	Art Unit	
	Chad Zhong	2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 November 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-70* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-70* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 11/21/05
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

FINAL ACTION

1. Applicant's arguments, see pages 15-21 of applicant's remarks, filed 11/21/2005, with respect to the rejection(s) of claim(s) 1-70 under 35 USC 102(e) and 35 USC 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of newly found prior art reference Filepp et al., US 5,347,632. Since, applicant has received a non-final action on merit, therefore, this action is final. Claims 1-70 are presented for examination; claims 1, 19, 34, 38, 45, 53, and 59 are currently amended; claims 2-18, 20-33, 35-37, 39-44, 46-52, 54-58, and 60-70 are previously presented.

2. Applicant's remarks filed 11/21/2005 have been considered but are found moot in view at the new grounds at rejection necessitated by Applicant's amendment.

3. The terminal disclaimer filed on 11/21/2005 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of 09-783673 has been reviewed and is NOT accepted.

a. The person who signed the terminal disclaimer is not recognized as an officer of the assignee, and he/she has not been established as being authorized to act on behalf of the assignee. See MPEP § 324.

4. An attorney or agent, not of record, is not authorized to sign a terminal disclaimer in the capacity as an attorney or agent acting in a representative capacity as provided by 37 CFR 1.34 (a). See 37 CFR 1.321(b) and/or (c).

It would be acceptable for a person, other than a recognized officer, to sign a terminal disclaimer, provided the record for the application includes a statement that the person is empowered to sign terminal disclaimers and/or act on behalf of the organization.

Accordingly, a new terminal disclaimer which includes the above empowerment statement will be considered to be signed by an appropriate official of the assignee. A separately filed paper referencing

the previously filed terminal disclaimer and containing a proper empowerment statement would also be acceptable.

5. The declaration filed on 11/21/2005 under 37 CFR 1.131 has been considered but is ineffective to overcome the Patrick reference.

6. The evidence submitted is insufficient to establish diligence from a date prior to the date of reduction to practice of the Patrick reference to either a constructive reduction to practice or an actual reduction to practice. Specifically, diligence is lacking from October 23, 2000 to at least the publication date of the Patrick reference dated 1/30/2001.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-45, 48-53, 55-59, and 61-70 are rejected under 35 U.S.C. 102(b) as being anticipated by Filepp et al. (hereinafter Filepp), US 5,347,632.

9. As per claim 1, Filepp teaches a data processing method comprising:

generating, with a client device, a particular client-resident intermediate user interface (UI) for a server-based and client-side controlled application according to a UI format determined by a UI server (Filepp, Col. 10, lines 18-29, where objects in form of packets are sent from server to client, the objects are used for interface generation purposes), including the step of supplementing a skeletal UI stored in a first memory location (skeletal UI is interpreted as incomplete UI; Col. 9, lines 10-33, shows a template

UI being populated by different objects, one object is an advertising object) with one or more icons, labels or menu items, or combinations thereof (Fig 3a, 4c, displays types of objects that are available to populate a template page) stored in a second memory location (Col. 5, lines 15-25, where the objects can be stored locally or remotely), wherein the skeletal UI specifies a layout of the client resident intermediate UI including respective locations of the one or more icons, labels or menu items, or combinations thereof (Col. 10, lines 46-57, where the format of the template is determined using page format objects 502), and wherein the first memory location and the second memory location are situated on said client device (Col. 5, lines 15-25), the skeletal UI and the one or more icons, labels and menu items being independently updateable from one another (Col. 9, lines 10-35, where individual objects update their respective fields on the page);

transmitting a number of source data items related to said server-based application from said UI server to said client device (Col. 10, lines 15-30); and

populating at least one native UI control used by said UI with said number of source data items (Col. 9, lines 10-33; Col. 12, lines 8-17).

10. As per claim 2, Filepp teaches formatting characteristics of said intermediate UI based upon a number of device capabilities for said client device (Col. 4, line 60 – Col. 5, line 10, the universal terminal prepares one version of application interpretable individually by each of the different network systems).

11. As per claim 3, Filepp teaches at least one native UI control is associated with an operating system for said client device (Col. 4, lines 55-60; Fig 3a, item 290, where the commands are associated with operating system on network device RS 400, the operating system are running each page).

12. As per claim 4, Filepp teaches executing, at said UI server, said server-based application to manipulate source data items for presentment at said client device (Col. 5, lines 19-25; Col. 7, lines 17-

23).

13. As per claim 5, Filepp teaches a method according to claim 1, further comprising the steps of:

generating an action request in response to a manipulation of said UI by a user of said intermediate client device (Col. 7, lines 27-30); and

updating said intermediate UI in response to said action request (Col. 7, lines 27-41).

14. As per claim 6, Filepp teaches performing an offline action by said client device while said client device is disconnected from said UI server (Col. 8, lines 47-61, where the sessions are established via modem, meaning there is no constant connection between client and server; Col. 84, lines 49-60, local storage is checked first for requested object, if not found a remote session is established to the server side for retrieval);

subsequently establishing a session between said client device and said UI server (Col. 8, lines 47-61; Col. 84, lines 49-60); and

thereafter transmitting, from said client device to said UI server, a command indicative of said offline action (Col. 84, lines 49-60; the command is at least in part a GET command to the server side in an attempt to retrieve the objects).

15. As per claim 7, Filepp teaches executing said command by said server-based application (Col. 7, lines 25-45, get command will retrieve objects from the server side).

16. As per claim 8, Filepp teaches said offline action modifies at least one of said source data items at said client device (Col. 84, lines 49-60, where modification include the modification of a display object on the user screen, i.e. user clicks a link on a page, the page is then modified); and

said method further comprises the step of updating a corresponding number of source data items maintained by said UI server to reflect the modification of said source data items (Col. 7, lines 18-41, where objects maintained by UI server are sent to the client side to reflect the modification of an user action).

17. As per claim 9, Filepp teaches maintaining a shadow cache at said UI server, said shadow cache including a list of source data items transmitted from said UI server to said client device (Col. 7, lines 17-41; Col. 5, lines 20-25).

18. As per claim 10, Filepp teaches saving said number of source data items in a client cache resident at said client device (Col. 5, lines 20-25).

19. As per claim 11, Filepp teaches removing client cache items to accommodate said number of source data items (Col. 6, lines 14-20).

20. As per claim 12, Filepp teaches removes said client cache items according to a hierarchical preference scheme (Col. 85, lines 30-40, LRU algorithm is used to maintain cache items).

21. As per claim 13, Filepp teaches sending a client action command related to said server-based application from said UI server to said client device (Col. 84, lines 50-60); and

executing said client action command by said client device (Col. 10, lines 30-57).

22. As per claim 14, Filepp teaches said number of source data items received during said receiving step represent a portion of a larger amount of related data available at a UI server (Col. 7, lines 27-42; Col. 5, lines 20-25).

23. As per claim 15, Filepp teaches said larger amount of related data comprises a list of items; and said number of source data items represents a subset of said list of items (Col. 7, lines 25-42).

24. As per claim 16, Filepp teaches said larger amount of related data comprises a document (Col. 10, lines 30-41, document is a page); and

said number of source data items represents a portion of said document (Col. 9, lines 10-33).

25. As per claim 17, Filepp teaches said larger amount of related data comprises an image (Fig 3a, item 255); and

said number of source data items represents a portion of said image (Fig 3a, item 280, 290).

26. As per claim 18, Filepp teaches said larger amount of related data comprises a body of text (Fig 3a, item 255); and said number of source data items represents a portion of said body of text (Fig 3a, item 290).

27. As per claim 19, Filepp teaches a data processing method comprising:

defining a user interface (UI) form in response to a number of device capabilities for a client device (Col. 4, line 60 – Col. 5, line 10, wherein the UI form includes a list of controls and respective locations of the controls as rendered on the client device (Fig 3a, item 255, 290), the controls being UI objects provided by the client device operating system or other client-resident application (Col. 5, lines 20-25), the UI form and the controls being independently updateable from one another (Col. 9, lines 10-32);

storing said UI form locally at said client device (Col. 5, lines 20-25);

saving a number of source data items locally at said client device (Col. 5, lines 20-25), said number of source data items being related to a server-based application executed by a UI server (Col. 5, lines 5-25, server can respond to remote requests from the client); and

populating said UI form with said number of source data items (Fig 3a, item 255), and wherein said number of source data items comprises a smaller subset than a total number of source data items

related to said server-based application, and wherein further subsets of said total number of source data items are downloadable based upon execution of one or more client-side controls (Col. 84, lines 50-60).

28. As per claim 20, Filepp teaches transmitting said number of source data items from said UI server to said client device (Col. 84, lines 50-60).

29. As per claim 21, Filepp teaches said defining step is performed by said UI server in response to a device identifier obtained from said client device (Col. 24, lines 15-20).

30. As per claim 22, Filepp teaches executing, at said UI server, said server-based application to manipulate source data items for presentment at said client device (Col. 5, lines 15-25; Col. 6, lines 55-65; Col. 7, lines 25-42).

31. As per claim 23, the claim is rejected for the same reasons as rejection to claim 5 above.

32. As per claim 24-26, the claims are rejected for the same reasons as rejection to claim 6-8 above.

32. As per claims 27-29, the claims are rejected for the same reasons as rejection to claims 10-12 above respectively.

33. As per claim 30, Filepp teaches updating said UI form in response to a manipulation of a display control rendered by said client device (Col. 7, lines 25-42);

requesting an additional number of source data items from said UI server if said manipulation of said display control triggers a data request command (Col. 84, lines 49-60); and

replacing source data items saved in said client cache with said additional number of source data items (Col. 8, lines 28-40; Col. 6, lines 14-18).

34. As per claim 31, Filepp teaches updating said UI form in response to a manipulation of a display

control rendered by said client device (Col. 7, lines 25-42);

retrieving additional source data items from said client cache in response to said manipulation of said display control (Col. 5, lines 20-25); and

displaying said additional source data items in said UI form (Fig 3; Col. 9, lines 10-32).

35. As per claim 32, the claim is rejected for the same reasons as rejection to claim 13 above.

36. As per claim 33, Filepp teaches said defining step defines said UI form based upon said server-based application (Col. 5, lines 20-25; Col. 7, lines 25-42).

37. As per claim 34, Filepp teaches said defining step defines said UI form with at least one native UI control stored locally at said client device (Col. 5, lines 20-25).

38. As per claim 35, Filepp teaches said UI server has access to a total number of source data items associated with said UI form (Col. 5, lines 20-25); and

said number of source data items saved during said saving step represents a portion of said total number of source data items (this section of the claim 35 is rejected for the same reasons as rejection to claim 14 above).

39. As per claim 36, Filepp teaches said UI server receiving a request for additional source data items (Col. 84, lines 50-60); and

said UI server transmitting a subsequent portion of said total number of source data items to said client device in response to said request (Col. 84, lines 50-60).

40. As per claim 37, Filepp teaches a method according to claim 36, wherein said UI server receives said request from said client device in response to a manipulation of said UI form (Col. 7, lines 25-42).

41. As per claim 38, the claim is rejected for the same reasons as rejection to claim 1 above.

42. As per claim 39, Filepp teaches sending said action request from said client device to said UI server; and

processing said action request by said UI server (Col. 84, lines 50-60).

43. As per claim 40, Filepp teaches transmitting a number of source data items related to said server-based application from said UI server to said client device, said transmitting step being performed in response to said action request (Col. 84, lines 50-60).

44. As per claim 41, Claim 41 is rejected for the same reasons as rejection to claim 14 above.

45. As per claim 42, Filepp teaches requesting, from said UI server, said number of source data items in response to an initial manipulation of said UI form (Col. 84, lines 50-60; Col. 5, lines 20-25); and

subsequently requesting, from said UI server, an additional number of source data items in response to a further manipulation of said UI form (Col. 84, lines 50-60).;

wherein said additional number of source data items represent a second portion of said larger amount of related data (Col. 5, lines 20-25, where the data objects are stored remotely on a server).

46. As per claim 43, Filepp teaches said UI server receiving information representing new, deleted, or modified data items (Col. 84, lines 50-60, server receiving requests for new information based on user action/modification on the client side); and

said UI server transmitting, to said client device, push data representing said new, deleted, or modified source data items (Col. 84, lines 50-60).

47. As per claim 44, Filepp teaches said UI server sending, to said client device, a push notification

corresponding to said push data (Col. 24, lines 15-30, where the push notification are embedded within the message headers, i.e. the destination ID fields contains notification to the switches as to where to route the corresponding push data).

48. As per claim 45, the claim is rejected for the same reasons as rejection to claim 1 above.

49. As per claim 48, Filepp teaches saving said number of data items in a client cache resident at said client device (Col. 6, lines 15-20).

50. As per claim 49, Filepp teaches retrieving said number of data items from said client cache prior to said displaying step (Col. 5, lines 5-25).

51. As per claim 50, Filepp teaches requesting, from said UI server, said number of data items in response to a manipulation of said at least one native UI control (Col. 7, lines 20-42).

52. As per claim 51, the claim is rejected for the same reasons as rejection to claim 14 above.

53. As per claim 52, the claim is rejected for the same reasons as rejection to claim 42 above.

54. As per claim 53, the claim is rejected for the same reasons as rejection to claim 1 above.

55. As per claim 55, Filepp teaches said client device architecture further comprises a client cache configured to store said number of source data items (Col. 5, lines 20-25).

56. As per claim 56, Filepp teaches said UI server architecture further comprises a shadow cache configured to store data representing the contents of said client cache (Col. 7, lines 17-23).

57. As per claim 57, Filepp teaches said client cache is further configured to store said UI form definition (Col. 5, lines 20-25).

58. As per claim 58, the claim is rejected for the same reasons as rejection to claim 14 above.

59. As per claim 59, the claim is rejected for the same reasons as rejection to claim 1 above.

60. As per claim 61, Filepp teaches said client device further comprises a client cache configured to store said number of source data items (Col. 5, lines 20-25).

61. As per claim 62, Filepp teaches said client device further comprises a client cache configured to store said UI form definition (Col. 5, lines 20-25).

62. As per claim 63, Claim 63 is rejected for the same reasons as rejection to claim 14 above.

63. As per claim 64, Claim 64 is rejected for the same reasons as rejection to claim 42 above.

64. As per claims 65-66, claims 65-66 are rejected for the same reasons as rejection to claim 19 and 1 above respectively.

65. As per claims 67-68, claims 65-66 are rejected for the same reasons as rejection to claim 19 and 1 above respectively.

66. As per claims 69-70, claims 65-66 are rejected for the same reasons as rejection to claim 19 and 1 above respectively.

Claim Rejections - 35 USC § 103

67. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having

ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

68. Claims 46-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Filepp, as applied to claim 45 above, in view of what was well known in the art.

69. As per claims 46-47, Filepp disclose the invention substantially as rejected in claim 45 above, but does not explicitly say a command script.

Official Notice is taken (see MPEP 2144.03) command script is well known and routinely used for batching of commands at the time of the invention was made.

It would have been obvious to one of ordinary skill in the art to include command script with Filepp because it would provide for additional efficiency as provided by scripts, by include plurality of commands within the scripts, clients can automate the system for efficiency gains through command scripts.

70. Claims 54 and 60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Filepp, as applied to claims 53 and 59 above, in view of Kikinis, US 5,727,159.

71. As per claim 54, Filepp disclose the invention substantially as rejected in claim 53 above, but does not say a UI formatting module that generates said UI form definition based upon a number of device capabilities for a client device that includes said client device architecture.

However, Kikinis teaches a UI formatting module that generates said UI form definition based upon a number of device capabilities for a client device that includes said client device architecture (Kikinis, Col. 2, lines 48-51; Col. 10, lines 20-33, where proxy-server format the data according to the end device's capabilities).

It would have been obvious to the person of ordinary skill in the art at the time of the invention to incorporate Kikinis teaching with Filepp because the combination would improve the efficiency of Filepp's systems by using the proxy-server rather than the field devices, (Filepp, Col. 3, lines 40-45).

72. As per claim 60, Filepp teaches said client device includes a number of device capabilities related to UI characteristics (Filepp, Col. 5, lines 1-10); and

said server processing architecture is further configured to generate said UI form definition based upon said number of device capabilities (the limitation is rejected for the same reasons as rejection to claim 54 above).

73. **THIS ACTION IS MADE FINAL**. Applicant is reined of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

74. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents and publications are cited to further show the state of the art with respect to "PLATFORM-INDEPENDENT DISTRIBUTED USER INTERFACE CLIENT ARCHITECTURE".

i. US 5818447 Wolf et al.

ii. US 2002/0152244 Dean et al.

iii. US 6167534 Straathof et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chad Zhong whose telephone number is (571)272-3946. The examiner can normally be reached on M-F 7:15 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JAROENCHONWANIT, BUNJOB can be reached on (571)272-3913. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CZ
January 18, 2006

BUNJOB JAROENCHONWANIT
SUPERVISORY PATENT EXAMINER